

104TH CONGRESS
1ST SESSION

H. R. 1849

To promote the return of human rights to the People's Republic of China.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 1995

Mr. STOCKMAN introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on International Relations and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote the return of human rights to the People's
Republic of China.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chinese Human Rights
5 Act of 1995”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act, the following definitions
8 shall apply:

1 (1) POLITICAL PRISONER.—The term “political
2 prisoner” means an individual citizen of the People’s
3 Republic of China who for political thoughts and/or
4 actions in opposition to the Chinese Government has
5 been imprisoned.

6 (2) THOUGHT CONTROL.—The term “thought
7 control” means intensive, forcible indoctrination
8 aimed at replacing a person’s basic convictions with
9 an alternative set of beliefs.

10 (3) POLITICAL REPRISAL.—The term “political
11 reprisal” means retaliation for political injuries, real
12 or imagined.

13 (4) FORCED ABORTION.—The term “forced
14 abortion” describes the act of coercing a female
15 against her will, by threat of bodily damage, death,
16 or imprisonment, to undergo a surgical procedure
17 for the purpose of inducing termination of preg-
18 nancy and expulsion of an embryo or fetus.

19 (5) FORCED STERILIZATION.—The term
20 “forced sterilization” describes the act of coercing a
21 male or female against their will, by threat of bodily
22 damage, death, or imprisonment, to undergo a sur-
23 gical procedure for the purpose of causing them to
24 be unable to produce offspring.

1 (6) CANNIBALISM.—The term “cannibalism”
2 means the consumption of a human embryo or fetus
3 by another human.

4 **SEC. 3. FINDINGS AND PURPOSE.**

5 (a) Congress finds—

6 (1) that, on October 8, 1984, the People’s Re-
7 public of China promulgated an internal document
8 detailing the conditions and measures for removing,
9 for purposes of human transplant, the organs of
10 prisoners executed by the Chinese Government;

11 (2) that, pursuant to the document, China has,
12 in some cases, scheduled the execution of political
13 dissidents on the basis of the need for the internal
14 organs of those political dissidents;

15 (3) that, in China, prisoners are routinely exe-
16 cuted because of their opposition to the policies of
17 their communist government or because of their un-
18 willingness to submit to forms of thought control im-
19 posed by reeducation camps operated by the Chinese
20 Government;

21 (4) that, because of fear of the government, rel-
22 atives of executed dissidents are reluctant to claim
23 the bodies of their kin, for fear of political reprisal;

1 (5) that China's birth control policy routinely
2 results in forced abortion, forced sterilization, infan-
3 ticide, and even cannibalism; and

4 (6) that, by its actions, China has separated it-
5 self from the community of civilized nations.

6 (b) PURPOSE.—It is the purpose of this Act to use
7 the economic power of the United States to lessen the bru-
8 tality imposed by the Chinese Government against its peo-
9 ple, and for other purposes.

10 **SEC. 4. MOST FAVORED NATION STATUS.**

11 Notwithstanding anything in section 402 of Public
12 Law 83–618, as amended, to the contrary, any waiver by
13 the President of subsections (a) and (b) of section 2432
14 of title 19, United States Code, with respect to the Peo-
15 ple's Republic of China is null and void. The People's Re-
16 public of China shall not be granted nondiscriminatory
17 treatment (most-favored-nation treatment) until Congress
18 shall by statute provide.

19 **SEC. 5. TRADING WITH THE ENEMY ACT.**

20 Section 2 of title 50 Appendix, United States Code,
21 is amended by adding after “enemy,” the first time it ap-
22 pears the following new subsection:

23 “(d) For purposes of products possessing a military
24 application, for a period beginning on the date of enact-
25 ment of the Chinese Human Rights Act of 1995, to the

1 date on which Congress, by joint resolution, determines
2 that the People's Republic of China does not engage in
3 any significant violation of human rights and poses no sig-
4 nificant threat to the United States, the government of
5 the People's Republic of China.''.
6

7 **SEC. 6. PERSECUTION FOR RESISTANCE TO COERCIVE POP-**
8 **ULATION CONTROL MEASURES.**

9 Section 101(a)(42) of the Immigration and National-
10 ity Act (8 U.S.C. 1101(a)(42)) is amended by adding at
11 the end the following: "For purposes of determinations
12 under this Act, a person who has been forced to abort
13 a pregnancy or to undergo involuntary sterilization, or
14 who has been persecuted for failure or refusal to undergo
15 such a procedure or for other resistance to a coercive pop-
16 ulation control program, shall be deemed to have been per-
17 secuted on account of political opinion, and a person who
18 has a well founded fear that he or she will be forced to
19 undergo such a procedure or subjected to persecution for
20 such failure, refusal, or resistance shall be deemed to have
21 a well founded fear of persecution on account of political
22 opinion.'".

23 **SEC. 7. EFFECTIVE DATE.**

24 This Act shall take effect immediately upon enact-
ment.

